

REMARKS

Applicants would first like to thank the Examiner for his indication of the allowance of claim 15 and for his indication of the allowability of claims 4-7, 9, 12 and 13. Upon entry of the present amendment, Applicants will have amended claim 1 to more clearly recite the features of the present invention. In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections and objections, as well as an indication of the allowability of each of the claims now pending.

In the above-noted Final Official Action, the Examiner rejected claims 1, 3, 8 and 14 under 35 U.S.C. §102(b) over JP 7-245092. Claims 4-7, 9, 12 and 13 were objected-to for depending from a rejected base claim, but were otherwise indicated as allowable if amended to include substantially all of the features of base and any intervening claims. Applicants respectfully traverse the outstanding rejections under 35 U.S.C. §102(b).

As amended, claim 1 recites a "group of electrodes including a plurality of positive and negative electrode plates arranged alternately... the positive electrode plates each comprising a lead portion having a surface on which at least one lead plate is attached, the negative electrode plates each comprising a punched metal portion and a lead portion, the punched metal portion being coated with an active material ...lateral edges of the respective lead portions of the positive electrode plates and the negative electrode plates are attached to the collector plates... lateral edges of the positive electrode plates protrude beyond the

negative electrode plates on one side, and said lateral edges of the negative electrode plates protrude beyond the group of positive electrode plates on the opposite side, the protruding portions forming the lead portions" (underlining designating language added by the present amendment).

With respect to the above-noted features recited in claim 1, the outstanding Final Official Action asserts that the positive electrode lead body 11a and the negative electrode lead body 12a in JP 7-245092 are "actually... current collectors" (i.e., the current collectors separately recited in present claim 1). However, the outstanding Final Official Action also asserts that "[i]n '092, the protruding portions are not specifically named a lead portion but are named exposed parts 2b and 3b... [t]herefore, the "lead portions" 2b and 3b in '092 are attached to the collector plates 11a and 12a in '092 thus meeting the claimed subject matter'.

Applicants respectfully submit that the latter assertion is in error.

In particular, as noted by the Examiner, the "lead bodies" at 11a and 12a in JP 7-245092 are specifically shown to correspond to the "current collectors" of the presently claimed invention. However, no other feature in JP 7-245092 can reasonably be considered the "lead portions" recited in claim 1. In other words, JP 7-245092 specifically recognizes "lead bodies" that are not the "lead portions" recited in claim 1. However, there is no basis for the Examiner to consider elements 2b and 3b as "lead portions", when JP 7-245092 itself fails to consider such elements "lead portions", and when JP 7-245092 explicitly teaches that

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the "lead bodies" are elements 11a and 12a. Rather, the elements 2b and 3b are merely described as "exposed" and "protruding".

Additionally, the present specification notes, at page 15, lines 16-23, that a "lead portion 18a is constructed by... attaching a lead plate 24 on one surface of the lead portion 18a by ultrasonic welding or seam welding... the negative electrode plates 19 shown in Fig. 7 are made of Ni punched metal coated with an active material except for lead portions 19a". In contrast, and as should be clear from the context of the term "lead portions" in both the specification and claim 1 of the present application, JP 7-245092 does not disclose or suggest the "lead portions" in any such context (i.e., "lead") as that recited in claim 1.

In any case, claim 1 has been amended to clarify the nature of the lead portions, and in order to amplify the differences of the claimed invention from that disclosed in JP 7-245092. In particular, claim 1 has been amended to include features similar to those noted above at page 15 of the present specification. In this regard, Applicants respectfully submit that JP 7-245092 does not disclose or suggest "lead portions" as recited in claim 1, let alone "the positive electrode plates each comprising a lead portion having a surface on which at least one lead plate is attached, the negative electrode plates each comprising a punched metal portion and a lead portion, the punched metal portion being coated with an active material".

Furthermore, claim 1 recites "upper open ends of the cell cases are closed by an integral lid member". In this regard, the outstanding Final Official Action asserts that "[a]s seen in Figures 1 and 5 of '092, the top of the case is closed by an integral lid member. This lid member may not have been separate from the remainder of the case during assembly, however, in its final state, the lid is an integrally formed with the case, thus meeting the claimed subject matter". However, as noted-above, claim 1 does not recite "integrally formed with the case"; rather, claim 1 recites an "integral lid member".

The term "integral" is essentially synonymous with "whole or complete", i.e., separable and complete. However, the top of the container" 10 in the '092 reference is not disclosed as whole or complete. Rather, the '092 document discloses an "exterior top wall" of the container 10, and further discloses that the "exterior top wall" is provided with electrode terminals 11 and 12 and a relief valve 13 that separate the exterior top wall into sections, such that the "exterior top wall" 10 in the '092 reference would not properly be considered to disclose or suggest an "integral lid member".

Accordingly, Applicants submit that the invention recited in claim 1, both before and after the present amendments, is not disclosed or suggested in the reference applied in the outstanding Final Official Action. Applicants additionally submit that each of claims 3-9 and 12-14 are allowable, at least for depending, directly or indirectly, from an allowable claim 1, as well as for additional reasons related to their own recitations. Furthermore, Applicants

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note that claim 15 has already been indicated as allowed by the Examiner and claims 10-11 were previously withdrawn. Thus, Applicants submit that a clear basis exists for a finding of patentability of each claim now pending. An action to such effect is respectfully requested.

Applicants further submit that entry of the present amendments is believed to be proper, though the present application is subject to final rejection. In particular, Applicants submit that the amendments contained herein do not present new issues for consideration by the Examiner. Rather, the present amendments merely clarify the nature of the "lead portions" recited in claim 1, and particularly to ensure that the terms are interpreted in a manner consistent with the specification. Accordingly, Applicants respectfully request entry of the present amendment, though the present application is subject to final rejection.

SUMMARY AND CONCLUSION

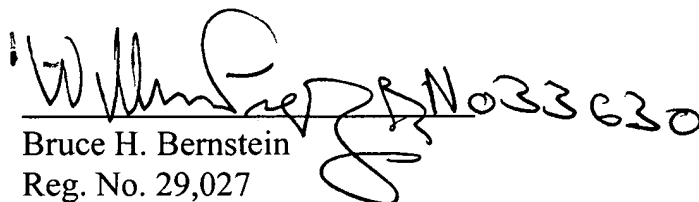
Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended claim 1 to more clearly recite the present invention. Applicants have further discussed the features recited in Applicants' claims and have pointed out how these features are not taught, disclosed nor rendered obvious by the reference cited by the Examiner. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request an indication to such effect.

Any amendments which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions or comments regarding this Response, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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